

## Amendments to the Claims

1. (currently amended) An apparatus including:

a divert cassette,

wherein the divert cassette is adapted for use in an automated banking machine,

~~wherein the cassette is operative to hold media therein;~~

~~wherein the cassette has an outer surface;~~

~~wherein the cassette includes a plurality of indicator members movably connected thereto;~~

~~wherein each of the members includes an end thereof and an axis;~~

~~wherein the axis is generally perpendicular to the outer surface;~~

~~wherein each end is operative to be moved between a first axial position and a second axial position;~~

~~wherein at least one of the first and second positions is spaced outwardly from the outer surface;~~

~~wherein at least one of the first and second positions is indicative of data regarding the cassette~~

wherein the divert cassette includes a diverted media storage area,

wherein the diverted media storage area is operative to receive diverted media which was deemed unpresentable to an automated banking machine customer,

wherein the divert cassette includes a retracted media storage area,

wherein the retracted media storage area is operative to receive retracted media which was presented to an automated banking machine customer,

wherein the retracted media storage area is separated from the  
diverted media storage area.

2-44. (canceled)

45. (new) The apparatus according to claim 1 wherein the divert cassette includes a partition operative to direct media to either of the diverted media storage area or the retracted media storage area.

46. (new) The apparatus according to claim 45 wherein the partition is operatively movable.

47. (new) The apparatus according to claim 46 wherein the partition is pivotable.

48. (new) The apparatus according to claim 46 wherein the divert cassette includes a lever operatively connected to the partition, wherein the lever is operative to be driven by an exterior drive mechanism, and wherein movement of the lever is operative to correspondingly move the partition.

49. (new) The apparatus according to claim 48 wherein the divert cassette includes a separator operatively connected to the partition, wherein the separator is operative to separate the diverted media storage area from the retracted media storage area.

50. (new) The apparatus according to claim 49 wherein the separator is movable.

51. (new) The apparatus according to claim 50 wherein the separator is operative to correspondingly move with the partition.

52. (new) The apparatus according to claim 51 wherein the partition is operatively connected to the separator via a flexible guide.

53. (new) The apparatus according to claim 48 wherein the partition includes a pair of arms connected via a bridge, wherein the arms are integral with the bridge.

54. (new) The apparatus according to claim 53 wherein the arms are operatively connected to the lever.

55. (new) The apparatus according to claim 46 wherein the divert cassette includes a common media receiving opening, wherein both diverted media and retracted media are operative to enter the divert cassette through the opening.

56. (new) The apparatus according to claim 46 and further including an automated banking machine, wherein the machine includes at least one computer, wherein the machine is operative to present media to a customer, and wherein the machine includes the divert cassette.

57. (new) The apparatus according to claim 56 wherein the machine is operative to determine whether media has an unacceptable media condition, wherein the machine is operative to divert media with an unacceptable condition to the diverted media storage area.

58. (new) The apparatus according to claim 57 wherein the machine is operative to store the diverted media in the diverted media storage area.

59. (new) The apparatus according to claim 58 wherein the machine is operative to store the diverted media in the diverted media storage area without presenting the diverted media to a customer.

60. (new) The apparatus according to claim 56 wherein the machine is operative to retract media presented to a customer after a predetermined time period.

61. (new) The apparatus according to claim 60 wherein the machine is operative to store the retracted media in the retracted media storage area.

62. (new) The apparatus according to claim 56 wherein the divert cassette includes a media-high indicator, wherein the indicator is operative to be actuated when the media in one of the storage areas reaches a predetermined level, wherein the machine is operative to read the indicator.

63. (new) The apparatus according to claim 46 wherein the diverted media storage area is located above the retracted media storage area with the divert cassette in an operating position.

64. (new) A method including:

- (a) providing an automated banking machine with a divert cassette, wherein the divert cassette includes a diverted media storage area separated from a retracted media storage area;
- (b) determining whether media has an acceptable or an unacceptable media condition,
- (c) responsive to (b), either
  - (c1) diverting media having an unacceptable media condition to the diverted media storage area, or
  - (c2) presenting media having an acceptable media condition to a customer;
  - (c2a) responsive to (c2), retracting presented media remaining after a predetermined time period to the retracted media storage area.

65. (new) The method according to claim 64 wherein (c1) includes storing the diverted media in the diverted media storage area without presenting the diverted media to a customer.

66. (new) The method according to claim 64 wherein (a) includes providing the automated banking machine with a divert cassette including a partition movable between a first position and a second position, wherein the first position is operative to direct media to the diverted media storage area, wherein the second position is operative to direct media to the retracted media storage area, wherein (c1) includes moving the partition to the first position, and wherein (c2a) includes moving the partition to the second position.

67. (new) The method according to claim 66 wherein (a) includes providing the automated banking machine with a divert cassette including a common media receiving opening, wherein both diverted media and retracted media are operative to enter the divert cassette through the common opening.

68. (new) The method according to claim 66 wherein the automated banking machine includes a drive mechanism, wherein (a) includes providing the automated banking machine with a divert cassette including a movable lever operatively connected to the partition, wherein movement of the lever is operative to correspondingly move the partition, and further including

(d) moving the lever with the drive mechanism.

69. (new) The method according to claim 66 wherein the media comprises currency, wherein (b) includes determining whether the currency is presentable to a customer.

70. (new) The method according to claim 69 and further including

- (d) removing currency from one of the diverted media storage area and the retracted media storage area;
- (e) removing any currency in the other of the diverted media storage area and the retracted media storage area.